

Image  
1644

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PTO/SB/82 (09-03)

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**REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	09/237,981
Filing Date	01/25/1999
First Named Inventor	Thomas Quertermous
Art Unit	1644
Examiner Name	Patrick J. Nolan
Attorney Docket Number	213-0094US

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number: 25746

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with  
Customer Number:

25746

OR

<input type="checkbox"/> Firm or Individual Name	Wong Cabello Lutsch Rutherford & Brucculeri, LLP				
Address	20333 SH 249, Suite 600				
Address					
City	Houston	State	TX	Zip	77070
Country	US				
Telephone	832-446-2400	Fax	832-446-2424		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

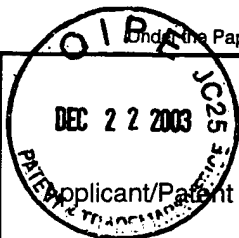
Name	Janis Elsner, Associate Director, Office Technology Transfer, Vanderbilt University		
Signature	<i>Janis Elsner</i>		
Date	<i>Dec. 9, 2003</i>	Telephone	615-343-2430

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Querterm us, Hogan, Snodgrass, Zupancic/ Vanderbilt University/ Valentis, Inc.Application No./Patent No.: 09/237,981 (Div of 08/659,235) Filed/Issue Date: 01/25/1999Entitled: **Antibodies to Developmentally Regulated Endothelial Locus-1**Vanderbilt Universitya University

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of less than the entire right, title and interest.

The extent (by, percentage) of its ownership interest is coowner %  
 in the patent application/patent identified above by virtue of either:

**Vanderbilt and Valentis are  
 co-owners of the entire right,  
 title, and interest**

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Quertermous/Hogan To: Vanderbilt University  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel 8282, Frame 0955, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to

Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See

MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Dec 9, 2003  
 Date

615-343-2430  
 Telephone number

Janis Elsner  
 Typed or printed name

Janis Elsner  
 Signature

Associate Director, OTT, Vanderbilt Univ.

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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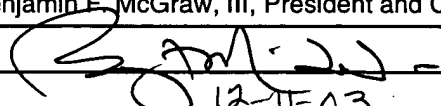
<input type="checkbox"/> Firm or Individual Name	Wong Cabello Lutsch Rutherford & Brucculeri, LLP				
Address	20333 SH 249, Suite 600				
Address					
City	Houston	State	TX	Zip	77070
Country	US				
Telephone	832-446-2400	Fax	832-446-2424		

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☐ Applicant/Inventor.

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*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)*

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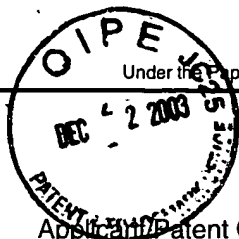
Name	Benjamin E. McGraw, III, President and CEO, Valentis, Inc.		
Signature			
Date	12-11-03	Telephone	650-697-1900

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



### STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Querterm us, Hogan, Snodgrass, Zupancic/ Vanderbilt University/ Valentis, Inc.

Application No./Patent No.: 09/237,981 (Div of 08/659,235) Filed/Issue Date: 01/25/1999

Entitled: Antibodies to Developmentally Regulated Endothelial Locus-1

Valentis, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or
2. ☒ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is coowner %  
in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Snodgrass/ Hogan To: Progenitor, Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 8282 Frame 0964, or for which a copy thereof is attached.
2. From: Progenitor, Inc. To: Megabios, Corp.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 010404 Frame 0597, or for which a copy thereof is attached.
3. From: merger of Megabios, Corp. To: Valentis, Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_ Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

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The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

12-11-03

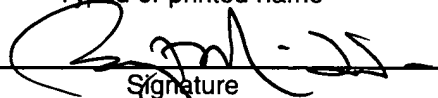
Date

650-697-1900

Telephone number

Benjamin F. McGraw, III

Typed or printed name



Signature

President and CEO, Valentis, Inc.

Title



State of Delaware  
Office of the Secretary of State

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"VALENTIS, INC.", A DELAWARE CORPORATION,  
WITH AND INTO "MEGABIOS CORP." UNDER THE NAME OF "VALENTIS, INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF APRIL, A.D. 1999, AT 9 O'CLOCK A.M.



Edward J. Freel, Secretary of State

2784403 8100M

AUTHENTICATION: 0034884

991437512

DATE: 10-20-99

**CERTIFICATE OF OWNERSHIP AND MERGER****MERGING**

**VALENTIS, INC.**  
a Delaware corporation

**INTO**

**MEGABIOS CORP.**  
a Delaware corporation

---

Pursuant to Section 253 of the  
General Corporation Law of the State of Delaware

---

Megabios Corp., a corporation organized and existing under the General Corporation Law of the State of Delaware,

**DOES HEREBY CERTIFY:**

**FIRST:** That this corporation owns all of the outstanding shares of Valentis, Inc., a corporation organized and existing under the General Corporation Law of the State of Delaware.

**SECOND:** That this corporation, by the following resolutions of its Board of Directors, duly adopted by Unanimous Written Consent pursuant to Section 141(f) of the General Corporation Law of the State of Delaware on the 23<sup>rd</sup> day of April, 1999, determined to merge Valentis, Inc. into itself on the terms and conditions set forth in such resolutions:

**RESOLVED,** that Valentis, Inc. be merged with and into the Corporation and that the Corporation be the surviving corporation in such merger;

**FURTHER RESOLVED,** that the merger shall become effective upon the date and time of the filing of a Certificate of Ownership and Merger with the Secretary of State of the State of Delaware;

**FURTHER RESOLVED**, that upon the effectiveness of the merger, the Corporation shall assume all of the liabilities and obligations of Valentis, Inc.; and

**FURTHER RESOLVED**, that upon the effectiveness of the merger, the name of the Corporation shall be changed to "Valentis, Inc." and Article I of the Amended and Restated Certificate of Incorporation of the Corporation shall be amended to read as follows:

"I

The name of the Corporation is Valentis, Inc."

[remainder of this page intentionally left blank]

IN WITNESS WHEREOF, this Certificate of Ownership and Merger is hereby executed on behalf of the surviving Corporation, Megabios Corp., and attested to by its officers thereunto duly authorized.

Dated as of April 29, 1999

MEGABIOS CORP.

By: 

Benjamin E. McGraw, III  
President and Chief  
Executive Officer

ATTEST:

By: 

Patrick A. Pohlen  
Secretary